

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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07 CV 6491 (WHP)

CHLOE S.A.S, J. CHOO LIMITED,

Plaintiffs,

-against-

ANSWER

KEN CHEN, ET AL.,

Defendants.

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Defendants, JOSE CHONG WEN, CARLOS RENE TSE SIO, FU ALEJANDRO CHANG, YAN FEN CHEN, and CATSE CO., INC., in answering the Amended Complaint of the plaintiffs herein, by their attorney, Steven Hoffner, Esq., respectfully states and alleges as follows:

PARTIES

1. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1-12, 14-17, 19-33, 35-43, 45-48, 50-56, and 58-61.

2. Defendant JOSE CHONG WEN admits that he works part-time at a business located at 277 Canal Street H-3D, but denies the remaining allegations in paragraph 13.

3. Defendant Carlos Rene Tse Sio admits that he does business at 277 Canal Street H-3D, but denies the remaining allegations in paragraph 18.

4. Defendant FU ALEJANDRO CHANG admits that he works part-time at 277 Canal Street H-3D, but denies the other allegations contained in paragraph 34.

5. Defendant YAN FEN CHEN denies the allegations contained in paragraph

44.

6. Defendant CATSE CO., INC. admits the allegations contained in paragraph 49 to the extent that it is registered at 277 Canal Street, New York, New York 10013 and utilizes the address as a mailing address, but denies that it conducts any business at Booth H-3D.

#### **JURISDICTION AND VENUE**

7. Defendants admit the allegations contained in paragraphs 62-65.

#### **CHLOE'S TRADEMARKS**

8. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 66-77.

#### **JIMMY CHOO'S TRADEMARKS**

9. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 78-89.

#### **DEFENDANTS' CONDUCT**

10. Defendants deny the allegations contained in paragraphs 90-97.

#### **COUNT ONE: FEDERAL TRADEMARK COUNTERFEITING**

11. Defendants deny the allegations contained in paragraphs 98-102.

#### **COUNT TWO: UNFAIR COMPETITION**

12. Defendants deny the allegations contained in paragraphs 103-108.

**COUNT THREE: FEDERAL TRADEMARK DILUTION**

13. Defendants deny the allegations contained in paragraphs 109-114.

**COUNT FOUR: COMMON LAW TRADEMARK COUNTERFEITING**

14. Defendants deny the allegations contained in paragraphs 115-120.

**COUNT FIVE: COMMON LAW UNFAIR COMPETITION**

15. Defendants deny the allegations contained in paragraphs 121-126.

**COUNT SIX: NEW YORK TRADEMARK DILUTION**

16. Defendants deny the allegations contained in paragraphs 127-129.

**COUNT SEVEN: UNLAWFUL DECEPTIVE ACTS AND PRACTICES**

17. Defendants deny the allegations contained in paragraphs 130-134.

WHEREFORE, defendants demand that plaintiffs' complaint be dismissed in its entirety, and that the defendants be awarded damages for the costs of defending this action, and for any other and further relief that the Court deems just and proper.

DATED: New York, New York  
September 5, 2007

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STEVEN HOFFNER, ESQ.  
Attorney for Jose Chong Wen,  
Carlos Rene Tse Sio,  
Fu Alejandro Chang,  
Yan Fen Chen, &  
Catse Co., Inc.

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